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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,395	02/25/2002	Claude Andre	408.106A	6873
20311	7590	11/03/2005	EXAMINER	
LUCAS & MERCANTI, LLP 475 PARK AVENUE SOUTH 15TH FLOOR NEW YORK, NY 10016			WARE, DEBORAH K	
		ART UNIT	PAPER NUMBER	
		1651		

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

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**Commissioner for Patents**

The reply filed on August 5, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): amendments to claim 1 as filed on May 13, 2005 and again on August 5, 2005 are not in compliance with rule 37 CFR 1.121. For Applicants' convenience copies of the amendment of 9/28/04, 5/13/05 and 8/5/05 are included herein showing the improper amendments made on May 13, 2005 and not properly corrected on August 5, 2005. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Any inquiry regarding this communication may be directed to Deborah Ware at 571-272-0924. Note that in claim 1, at line 2, of amendments filed 8/5/05 and 5/13/05 the term "substances" was never properly amended to be inserted nor was the term "elements or proteins" as the claims appear in amendment of September 28, 2004, properly deleted. Furthermore, the terminology "a plurality of" as it occurs in claim 1 of amendment filed 8/5/05 and 5/13/05 was never properly inserted in these amendments as filed and the terminology does not appear in amendment of September 28, 2004 either, however, "amino acids" was inserted before "in lyophilised form" of amendment filed May 13, 2005. However, amendments with respect to terminology "a plurality of" was not inserted in amendment of 5/13/05 or 8/5/05. Also in claim 9, at lines 1-2 and 2, respectively, of amendments filed 5/13/05 and 8/5/05, "of said mixture" was not properly inserted by these amendments and the claims are improperly set forth in these amendments as being previously presented, as are claims 10 and 12 in these amendments. Claim 10 was amended in amendment of 5/13/05 wherein "keratin, the stratum corneum, or" was deleted as is reflected in each of the amendments filed 5/13/05 and 8/5/05 but the claims are improperly labeled as being previously presented claims in amendments 5/13/05 and 8/5/05 which they are not they are currently amended claims as of 5/13/05, of which amendment filed 8/5/05 is suppose to be a corrected amendment to the claims. Further, note that claim 12 depended on claim 11 and then improperly amended to be dependent from claim 1 which is correct that it should depend from claim 1 because claim 11 is canceled in amendment of 5/13/05 but the amendments filed 5/13/05 and corrected version reflect that no change was made to claim 12 which is not the case because in amendment of 5/13/05 "11" does not appear and numeral "1" does appear but not reflected as an amendment. Also note that claim 14 is labeled previously amended which is correct but in the claim 14 of amendment filed 5/13/05 underling appears which would indicate current amendments to the claim which is not proper because the claim 14 has not been changed in amendment of 5/13/05 as properly set forth in amendment of 8/5/05.

Applicants are requested to file a corrected version of the amendments to the claims so that the record is clear about what changes have been made during the prosecution. It was the examiner's desire that this would have been remedied already with response to the non-compliance letter of 7/25/05 but Applicnats have not fully complied although it is noted that they have tried and effort appreciated, however, strict attention to providing proper correction is suggested and requested. Applicants are requested to phone the examiner if they have questions of need help.

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1651

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